

AMENDED IN ASSEMBLY JUNE 2, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 429**

**Introduced by Assembly Member Dymally**

February 14, 2003

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An act to amend Section 104322 of the Health and Safety Code, relating to cancer.

LEGISLATIVE COUNSEL'S DIGEST

AB 429, as amended, Dymally. Prostate cancer: treatment services.

Existing law establishes the Prostate Cancer Treatment Program, administered by the State Department of Health Services, under which the department is required to award one or more contracts to provide prostate cancer treatment through private or public nonprofit organizations, including, but not limited to, community-based organizations, local health care providers, and the University of California medical centers.

This bill would ~~require that the contracts also provide for diagnostic services. This bill would also~~ *expressly* include in the list of private or public nonprofit organizations the Charles R. Drew University of Medicine and Science, an affiliate of the David Geffen School of Medicine at the University of California at Los Angeles.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 104322 of the Health and Safety Code is amended to read:

~~104322. (a) (1) The State Department of Health Services shall develop, expand, and ensure the availability and delivery of services necessary for the definitive diagnosis of prostate cancer in low-income and uninsured men, and for quality prostate cancer treatment for low-income and uninsured men.~~

~~(2) The department shall award one or more contracts to provide the services described in paragraph (1) through private or public nonprofit organizations, including, but not limited to, community-based organizations, local health care providers, the University of California medical centers, and the Charles R. Drew University of Medicine and Science, an affiliate of the David Geffen School of Medicine at the University of California at Los Angeles.~~

~~(3) The contracts described in paragraph (2) shall not be subject to Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.~~

~~(b) Services provided under this chapter shall be provided to uninsured and underinsured men with incomes at or below 200 percent of the federal poverty level.~~

~~(c) The department shall contract for prostate cancer services only at the level of funding budgeted from state and other sources during a fiscal year in which the Legislature has appropriated funds to the department for this purpose.~~ *is amended to read:*

104322. (a) (1) The State Department of Health Services shall develop, expand, and ensure quality prostate cancer treatment ~~to~~ for low-income and uninsured men. ~~The~~

(2) *The* department shall award one or more contracts to provide prostate cancer treatment through private or public nonprofit organizations, including, but not limited to, community-based organizations, local health care providers, ~~and~~ the University of California medical centers, *and the Charles R. Drew University of Medicine and Science, an affiliate of the David Geffen School of Medicine at the University of California at Los Angeles.* ~~The contracts~~

1     (3) *The contracts described in paragraph (2)* shall not be  
2 subject to Part 2 (commencing with Section 10100) of Division 2  
3 of the Public Contract Code.

4     (b) Treatment provided under this chapter shall be provided to  
5 uninsured and underinsured men with incomes at or below 200  
6 percent of the federal poverty level.

7     (c) The department shall contract for prostate cancer treatment  
8 services only at the level of funding budgeted from state and other  
9 sources during a fiscal year in which the Legislature has  
10 appropriated funds to the department for this purpose.

11     (d) Notwithstanding subdivision (a) of Section 2.00 of the  
12 Budget Act of 2003 and any other provision of law, commencing  
13 with the 2003–04 fiscal year and for each fiscal year thereafter, any  
14 amount appropriated to the department for the prostate cancer  
15 treatment program implemented pursuant to this chapter shall be  
16 made available, for purposes of that program, for encumbrance for  
17 one fiscal year beyond the year of appropriation and for  
18 expenditure for two fiscal years beyond the year of encumbrance.

